

GAME ON: BOOSTING SPORTS ACCESS FOR ALL ABILITIES IN MALAYSIA AND AUSTRALIA

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ABSTRACT

The growing recognition of the rights of persons with disabilities (PWD) in sports emphasizes the need for accessible facilities and events. However, Malaysia's legal framework for PWD inclusion in sports is not fully comprehensive and does not fully align with the Convention on the Rights of Persons with Disabilities (CRPD). This paper examines the CRPD's provisions, particularly Article 9 and Article 30, which focus on integrating PWD into mainstream sports and ensuring accessible sports venues. A comparison of the legal frameworks in Malaysia and Australia is undertaken to propose reforms that guarantee sports access for PWD in Malaysia. Using a doctrinal legal research approach, this study analyzes data from sources including the CRPD, national legislation, and court cases. Key findings include: Article 30 of the CRPD advocates for the participation of PWD in sports and emphasizes the provision of disability-specific sports. Article 9 stresses the need for accessible public spaces, including sports venues. Malaysia's current laws addressing PWD in sports lack the specificity and enforcement seen in Australia's Disability Discrimination Act 1992 and national sports policies, which offer a more inclusive model. This research recommends amendments to Malaysia's national laws to ensure equal access to sports for PWD, improved enforcement mechanisms, and the ratification of the Optional Protocol to the CRPD. Drawing on lessons from Australia's legal framework will help align Malaysia's laws with the CRPD's principles of dignity, equality, and inclusiveness, ensuring full participation of PWD in sports.

Keywords: Access, Disabilities, Human Rights, Persons with Disabilities, Sports.